# Summary Report from Interagency Bison Management Plan Meeting April 14-15, 2010

# Presented 04/17/2010 by Meeting Facilitator Scott Bischke, MountainWorks Inc. (scott@eMountainWorks.com)

The following summary report reflects activities at the April 14-15, 2010 meeting of the IBMP partners, held at Montana Fish, Wildlife, and Parks in Bozeman and hosted by Montana Department of Livestock. This report comes from the notes and flip chart records of facilitator Scott Bischke. The report contains a *Facilitator's Draft* watermark to recognize that as presented the IBMP partners have not reviewed these notes and accepted the facilitator's recollection/interpretation of events. Attendee deliberators included IBMP partners Mary Erickson (GNF), Pat Flowers (MFWP), Suzanne Lewis (YNP), Christian Mackay (MBoL), Brian McCluskey (APHIS), and Marty Zaluski (MDoL), along with tribal representatives Ervin Carlson (ITBC), Stephanie Gillin (CSKT), and Larry Greene (NP). In addition to those at the deliberative table, ~15 staff members from across IBMP organizations and ~25 members of the public were present each day. A scanned attendance sheet is available from the facilitator.

#### **Contents**

Partial list of Abbreviations	2
Meeting Highlights	2
Action items identified on November 17 <sup>th</sup> and 18 <sup>th</sup>	
Meeting summary notes	
2009/10 West Side Operations Planning and Updates	4
2009/10 North Side Operations Planning and Updates	
Discussion of the Next RFP for Quarantined Bison	
Tribal Participation in IBMP	
IBMP Interactions with County Commissioners	
Presentation on Brucella Persistence	7
Presentation on State-wide Bison Conservation Plan	8
Partner briefings	8
Next Meetings	9
Selected comments from public	10
April 14 <sup>th</sup>	
April 15 <sup>th</sup>	10











## Partial list of Abbreviations

- AM—Adaptive management
- APHIS—Animal and Plant Health Inspection Service
- BB—Brooklyn Baptiste
- CM—Christian Mackay
- CSKT—Confederated Salish Kootenai Tribes
- EC—Earvin Carlson
- GAO—Government Accountability Office
- GNF—Gallatin National Forest
- GYA—Greater Yellowstone Area
- ITBC— InterTribal Buffalo Council
- JD—Jerry Diemer
- LG—Larry Greene
- MBoL—Montana Board of Livestock
- MDoL—Montana Department of Livestock
- ME—Mary Erickson
- MFWP—Montana Fish Wildlife and parks
- MOU—Memorandum of Understanding
- MR—Majel Russell
- MSU—Montana State University

- MZ—Marty Zaluski
- NEPA—National Environmental Policy Act
- NGO—non-governmental organizations
- NP—Nez Perce
- NPS—National Park Service
- PF—Pat Flowers
- PIOs—Public Information Officers
- RC—Ryan Clarke
- RoD—Record of Decision
- RFP—request for proposal
- RT—Rob Tierney
- RTR—Royal Teton Ranch
- RW—Rick Wallen
- SEIS—supplemental EIS
- SK—Salish Kootenai
- SL—Suzanne Lewis
- SS— Sam Sheppard
- TM—Tom McDonald
- YNP—Yellowstone National Park

# **Meeting Highlights**

Meeting highlights can be found in the list below, as well as in the meeting action item list found in the next section of this report.

- 1) West and North Side Operations continue under guidelines of the December 2008 Adaptive Management
- 2) There will be no RFP for the transfer of the second cohort of quarantined bison pending a lawsuit. regarding the transfer of the first cohort to the Turner Ranch.
- 3) Official federal chartering of the InterTribal Buffalo Council (formerly InterTribal Bison Cooperative) occurred November of 2009.
- 4) Official acceptance of Nez Perce to join the Partners at the deliberative table.
- 5) Drop concept of draft MOU between Partners and tribal entities.
- 6) Drop creation of question set for Partner legal counsel regarding criteria for adding members to the deliberative table; among other issues, expectation is that the legal opinions would not provide cohesive guidance.
- 7) Partners recognize that the tribes, because of treaty rights, have a unique standing w/r to the IBMP; less clear about other entities, including counties.
- 8) An updated look at Brucella persistence data was presented.
- 9) An presentation was made introducing the Montana State-wide Bison Conservation Plan.
- 10) The RTR implementation plan was signed.

# Action items identified on November $17^{\text{th}}\,\text{and}\,\,18^{\text{th}}$

#	Who	What	By when
1	Christian M	To consider and then contact Earvin regarding having folks from ITBC become involved in hazing, bison handling. Concerns include 1) law enforcement status; 2) liability; and 3) requirement that they be paid by ITBC.	Apr 30
2	Pat F	Complete review of fencing option along the highway ( $^{\sim}1$ mile) to push bison toward HB & away from S Fk of the Madison; meet w/ fencing contractor to assess feasibility	By next meeting
3	Rob T All Partners	Set up field trip (including private ranches + public lands) on the West Side this summer. Goal: for Partners to meet on the ground to consider multiple opportunities for bison management as described in the AM plan (for example fencing, increasing habitat, lease buyout). Hope to meet with Deep Well, Red Canyon ranches (others?); potential of BBQ to close the day.  * Part of this field trip will include the discussion of creating a citizens' s working group (possibly convened by the state, counties, or tribal entities) to coincide with the release of the draft EIS on remote vaccination	Field trip date of June 4
4	Sam S	Add GNF, YNP to invitation for meetings dealing with setting tribal hunting season	Meetings in June
5	Majel R	Send Scott copy of new ITBC charter for Partner dist'n & posting on IBMP.info	Apr 30
6	Scott B	Send copy of NP acceptance letter to Steve M. for posting on IBMP.info.	Apr 30
7	Christian M 1 <sup>st</sup> draft County Comm. letter sent to Partners	<ul> <li>Write letter to Park, Madison, and Gallatin county commissioners on behalf of Partners stating</li> <li>willingness of Partners to periodically attend county commission meetings and provide IBMP status update (possibly combined Park, Madison, Gallatin)</li> <li>Request that County Commissioners consider possibility of convening CWG</li> <li>Request that counties provide a legal case for their standing with the IBMP Best time for Partner reporting would be early June.</li> </ul>	Letter to Partners by Ap16; Letter to County Comms. by Ap30?
8	Scott B	Find section of notes on what it means to be lead Partner organization & send to ME	Apr 30
9	Conrad F (Steve M)	Institute RSS Feed for automatic updates on changes to IBMP.info	By next meeting
10	Pat F, Sam S	One point was made that the target date for return to Yellowstone should say May 1, not April 15. MWFP took as an action item (#10) to make this change with RTR, though the Partners still stated willingness to sign the document as is.	By next meeting
11	Scott B Pat F Christian M	The facilitator will send an email to PF and CM a description of the goals of the CWG from past meeting notes; PF and CM to forward those notes with any additional thoughts to the tribal entities (action item #11). This item a precursor to the meeting noted under action item #3.	Apr 30
12	Scott B Tom M	Scott to contact Tom regarding logistics concerns with meeting at CSKT for August 2010 IBMP meeting	Apr 30
13	SK, NP, ITBC	Send Scott high quality logo icons; Scott passes on to Partner PIOs	Apr 30
14	Brian M	Presentation on how the livestock industry looks at risk relative to Keith Aune's presentation on the risk of brucellosis transmission.	For next meeting

# **Meeting summary notes**

Due to multiple facilitator activities, the notes presented are not comprehensive but hit highlights of Partner discussions. Interested parties are asked to see the IBMP web site (<a href="www.ibmp.info">www.ibmp.info</a>) where briefings and other documents created at this meeting are posted.

Note that Rick Wallen of YNP provided numerous large-scale, hard-mounted maps that were used throughout the meeting and that will be excellent tools for future Partner meetings. All parties extended their thanks to Rick and the Park for this effort.

## **2009/10 WEST SIDE OPERATIONS PLANNING AND UPDATES**

MDOL provided the most recent data for bison out on the West Side: on Horse Butte 293 head out on public lands 63 on private lands; 200 head at the Narrows with still lots of ice present; 28 bison on the south side of the Madison. No haze back operations have as yet commenced. It appears that snow pack is lower than last year and that the arrival of spring is perhaps 10 days ahead of last year.

MDOL stated that they would like to consider a staggered haze back approach both inside and outside the Park. They also stated concern that there might not be enough staff resources for the haze back work required in May. The resources discussion was set aside for regular operations discussions with one exception: Ervin Carlson offered the possibility of ITBC personnel helping as wranglers. Christian Mackay stated three concerns: 1) there are no salary funds available (wranglers must be self funded); 2) that wranglers must carry their own liability insurance; and 3) that as other members of the haze back team are law enforcement officers CM wondered if there would be any jurisdictional issues with non-enforcement personnel. CM said that he would consider the offer and get back to EC (action item #1).

MDOL stated that West Side Operations will go forward under the design of the December 2008 AM Plan. Operations in the next 60 days are expected to be conditionally based (i.e., snowmelt progression, level of runoff) with decision making authority as stated in the AM Plan.

A short open discussion followed regarding working with current lease holders—as stated in the AM Plan—for example the possibility of buying back grazing leases, building fence on private land, and so on. These included ranches at Red Canyon (across Narrows), Deep Well (south of the S. Fork of the Madison), and the Pobar (spelling?) ranch. At one lease has been relatively newly let and there was no known thought that any of the three ranches was expecting to stop or minimize cattle operations. Regardless, the question was raise that if there were no cattle in Zone 2 of the West Side, would there still be a May 15 haze back. Multiple responses all said that yes, like with changes on Horse Butte, the Partners would review operations under the AM Plan in light of any changes on the ground.

At the February 2010 meeting Pat Flowers had mentioned the possibility of building a temporary (likely electric) fence in the Baker's Hole area to push bison around the Madison Arm toward Horse Butte. Such a fence would keep bison from heading south past the airport and possibly onto private lands south of the S. Fork of the Madison. Pat went down to review this possibility since the last meeting. A hard review left him with a number of concerns about such a fencing operation: hindering wildlife movement, conflict with XC skiers or snowmobilers, separation of bison calves and females, logistical difficulty of putting fence up and down in high and changing snow conditions, cost, need for cattle guard, possibly highway issues, possible funneling of bison to the south instead of north. While PF thought these difficulties would make him lean to not recommending the temporary fencing option, he stated a willingness to meet with a contractor to get their input on cost and likely viability. The Partners agreed and this became action item #2. A concern was stated that the fencing might lead to losing some Zone 2 area open to the bison in the airport area. A statement was made that even with all the stated concerns, the Partners have had good luck with fencing efforts to date and should not drop the idea as a tool available to them.

A separate thread began that fencing was not the only option; that under AM the Partners pledged to look at such things as lease buyout and making efforts to increase habitat. This discussion culminated in a desire by all Partners to meet on the ground this summer for review of both private and public lands. A stated emphasis of the trip would be to meet with as many private landowners as possible to better assess

their concerns and issues, and to talk with them about future management possibilities. Rob Tierney agreed to make the invites and try to set up the date (action item #3; later the Partners set June 4 as the target date for the field trip). Partners stated a willingness to spend the entire day in the field and also the thought that the day could possibly end with a barbeque.

## 2009/10 NORTH SIDE OPERATIONS PLANNING AND UPDATES

MDOL reported that a group of ~15 female bison have regularly been coming out of the Park to the Eagle Creek area, then heading back into the Park. There were two hazings from the Reese Creek area last month. There is much less snow this year. RW noted that 20-60 animals are heading back and forth between the Blacktail Plateau area and the Gardiner Basin.

It was noted that there were few bison outside the Park for the treaty hunters (per Sam Sheppard only 4 bison were taken this year) and that hazing operations should reflect the need to keep animals available for the hunt. MDOL noted that they have already changed operations to help with the tribal hunt. Separately it was noted that bison are tolerated year round in the Eagle Creek area. By agreement there was no state hunt on the RTR side of the Yellowstone River this year, a condition the tribes agreed to as well fot his year.

Some thoughts were put forward that the Partners need to better communicate with tribes regarding status of bison location, hazing operations, and so on. SS noted that such communication is already taking place between MFWP with the Chief of the Nez Perce. A request was made that both GNF and YNP be added to the yearly meeting between MFWP and the tribal entities regarding setting hunt dates and harvest levels. This request became action item #4.

## DISCUSSION OF THE NEXT RFP FOR QUARANTINED BISON

MFWP stated that because of pending litigation about the transfer of bison to the Turner Ranch the next request for proposal for moving bison from quarantine is on hold. Pat Flowers said that the only thing he could relay from MFWP attorneys was that for the moment all options remain open.

In response to a question it was noted that quarantined bison are not put into the Park because of risk of re-infection, which runs counter to the goals of the ROD. Also a point was made that the the quarantine program was/is envisioned as a way to provide 1) an outlet for bison other than slaughter, and 2) help preserve valuable wild bison genetics for herds beyond YNP.

## TRIBAL PARTICIPATION IN IBMP

### Update on ITBC legal status

Majel Russell stated that the InterTribal Bison Cooperative had received federal recognition as a new, nationally chartered Indian organization under federal law. The ITBC is no longer a non-profit organization. With the change in legal status the ITBC also changed its name to the InterTribal Buffalo Council (still ITBC). The change went into effect November 18, 2009 (with some small modifications needed thereafter). With this change, the ITBC is now recognized in the Department of Interior budget. In response to a question, MR noted that there was no notice in the Federal Register for the change in status. MR will provide the ITBC charter documents to the facilitator for posting at www.IBMP.info (action item #5).

# Official Response from Nez Perce to Partner Invitation to the Deliberative Table

Larry Greene provided a letter to MDOL (as the lead IBMP agency this year) regarding the Nez Perce acceptance of the Partner's invitation to sit at the deliberative table. The letter came from Samuel Penney, Chairman of the Nez Perc Tribal Executive Committee, and is posted at <a href="www.IBMP.info">www.IBMP.info</a>. LG expressed the tribe's thanks and joy at being at the deliberative table. He noted that the treaty hunting rights for the tribe extend back to 1855, and that to sign the treaty back then Chief Looking Glass had to return from a hunt in the Yellowstone region. He noted how important bison and hunting bison are to the NP culture, how important it is to their youth, and how the tribe makes decisions based on the impact of those decisions on the seventh generation hence.

# (a) NP, SK, ITBC—Presentation of 1<sup>st</sup> Draft of Partner /Tribal Entities MOU

## (b) Results of Questions to Legal Counsel on Potential Addition of Members to the Deliberative Table

Attorneys representing the Nez Perce (Mike Lopez), ITBC (Majel Russell, Christina Kracher), and Confederated Salish Kootenai (John Harrison) were present to discuss the concept of the tribal entities and the Partners signing a formal Memorandum of Understanding governing tribal participation in the IBMP. The tribal entities had earlier decided not to present a draft MOU at this meeting. They all stated a willingness to create an MOU (or three, if necessary), but felt if they were to do so they needed more input on what was expected. Ultimately the reasons for not creating a first draft MOU for this meeting were many and varied but largely centered on the following item in the original agenda, which is combined in these notes as item (b) and discussed here.

The thought that a question set was now being created to determine how to answer future requests for groups to sit at the deliberative table caused great consternation among the three tribal entities. Above all, the concern was that such a question set might be retroactively weighed against participation of the tribal entities in the IBMP. The tribal entities were unanimous in their feeling that the Partners had extended invitations, each had accepted, and there did not need to be a further defining of the relationship. The Partners recognized that this view might be held by the tribal entities, though also agreed that the original intent of the question set was to look at the petitions of other groups to sit at the deliberative table. The concept of petitioning Partner attorneys was spurred by the recent (Nov09, Feb10 meetings) County Commissioners' request to sit at the deliberative table, as well as many similar past requests from NGOs.

Many questions and much discussion followed regarding the various rights relative to the IBMP of the signatory Partners versus tribes versus counties versus NGOs. In the end the Partners stated a clear sense that due to treaty rights (as far back as 1855) the three tribal entities are clearly differentiated from the counties, from NGOs, or from individuals seeking to sit at the deliberative table (MR described that members of the ITBC have treaty rights as well as those hunting rights of the CSKT and NP). Given that difference, it was suggested and agreed to that the Partners would drop the idea of seeking legal input to deciding who could sit at the deliberative table. A recurring point supporting this decision was that the Partners fully expected a) the legal opinions to be a long time in coming, and b) that they were likely to be widely varying and thus potentially not much help.

At the close of the discussions the Partners stated clearly that they had no intent to go back and revisit the question of inclusion of the tribes at the deliberative table. They decided to drop the action item from the Feb10 meeting regarding requesting input from legal counsel on qualifications to sit at the deliberative table.

With respect to the MOU, it many points were brought forward

- In some cases the tribal councils had not met since the request so there had been no chance to solicit their opinion on an MOU.
- The need for an MOU was discussed, potentially defining relationships, methods of operation, and so on. Partners made clear that their authority for activities under the IBMP was given from the signing the 2000 ROD. Since the Partners alone held that authority, the thought was that an MOU might help merge the role of the tribal entities into the IBMP duties.
- It was not clear if the Partners had originally asked for the creation of the MOU or if the tribal entities had suggested it.
- It was noted that a loose discussion of this relationship had occurred at the Nov09 meeting and can be found in the meeting summary at <a href="https://www.ibmp.info">www.ibmp.info</a>. One key to those discussions was that the Partners operate generally by consensus so the question of the tribal entities having "voting rights" was not pertinent. If there is no consensus, by default there is no change in action.
- Statements indicated past MOUs led to lots of unproductive posturing and positioning that would not occur if an MOU was not created.

As the discussion wound down several statements were made to the effect that there was far more conversation on this topic than warranted. It was proposed, and unanimously agreed by all nine members at the table, that the idea of an MOU be dropped.

#### **IBMP Interactions with County Commissioners**

As at the February meeting, Park County Commissioner Malone was present at this meeting and requested that the counties have a representative voice at the deliberative table. Per the discussion described in the last section of this report, the Partners decided that they did not believe that the County Commissioners had unique standing to sit at the deliberative table. They did express, however, great interest in working with the counties to address their concerns. Further discussion about county specific concerns led to the following points and conclusions:

- Partners stated that they did not equate being "at the table" with value of input.
- Several statements that the State of MT entities at the table already represent the interests of the counties.
- Several Partners noted that they might be best equipped to work with the counties one-on-one.
- Partners returned to their desire to send a letter sent out to County Commissioners on IBMP
  Partner willingness to attend public meetings held by the counties. MDOL took on the role of
  creating this letter and circulating to the Partners before sending it out to Gallatin, Park, and
  Madison County Commissioners (action item #7).
- That the Partners welcome the counties to present a legal case at why they should sit at the deliberative table but such a presentation is in no way a pre-requisite for the Partners working with the counties. The Partners explicitly and repeatedly stated their willingness to work with the counties.

Commissioner Malone presented a letter from a Gardiner resident regarding issue with a bison that can be found at <a href="https://www.ibmp.info">www.ibmp.info</a>.

#### PRESENTATION ON BRUCELLA PERSISTENCE

Keith Aune, formerly of MFWP and now with Wildlife Conservation Society, presented the most up to date findings on Brucella persistence in the environment. Keith started by noting that he would not be presenting anything ground breaking, but would provide updates on recent modeling. Keith's concluding slide can be found below; the entire PowerPoint slideshow can be found at <a href="https://www.ibmp.info">www.ibmp.info</a>.

Concluding remarks:

- Using RB51 as a surrogate for field strain we found that Brucella can persist on fetal tissue exposed to natural conditions in the GYA.
  - RB51 persisted longer on the bottom of fetuses and those protected by shade
  - The length of time that RB51 persisted increased from February through May.
  - RB51 in tissues placed out in mid-May did not persist very long (25 days)
  - None of the RB51 laced fetuses in this study were culture positive after June 15.
- Scavenging resulted in the rapid removal of most fetuses
  - Fetuses were scavenged more quickly inside YNP than outside
  - Almost all Fetuses were scavenged within 40 days
  - However, some fetuses were not scavenged at all and naturally decomposed.
- The Combined model predicts only a 5% chance that the bacteria or fetus persists in the landscape after 26 days in May events
- Soil/vegetation/tissue at birth or abortion sites naturally infected with field strain remain infected for up to 43 days in April and 26 days in May.
  - Although sample size is small birth-sites mimics persistence data for RB51.
- Evidence from these studies indicates that after May 15 (bison haze-back date in the IBMP), natural
  environmental conditions and scavenging conspire to rapidly kill or remove Brucella from the
  environment.

As the meeting closed later in the day, PF made a statement that the group has not focused on relative risk, as mentioned by Keith several times. PF asked if we could have a review or report out on how the livestock industry thinks about risk (Keith had made the point that there is never 0% risk of disease

transmission, not even with human health, so that scientists needed some guidance from managers on what level of risk they would be willing to accecpt—1%? 5%?). BM agreed to take on the task of doing a presentation on the way the livestock industry looks at risk (this item became action item #14).

#### PRESENTATION ON STATE-WIDE BISON CONSERVATION PLAN

Arnie Dood of MFWP discussed the future of wild bison in Montana. He is currently working to evaluate opportunities to restore hunting of wild bison somewhere in Montana (not just in the greater Yellowstone area). Inherent in his analysis is answering many questions: what issues and opportunities exist surrounding wild bison on the landscape, what does "wild bison" means to different people, where did bison live in Montana historically, what statutes or treaties impact the potential of hunting wild bison again, what what was the natural and biologic history of wild bison when the lived in Montana, what does free-roaming mean, what issues of disease surround wild bison, how will wild bison and domestic bison coexist and interact, and so on.

Arnie is soliciting input through public presentations across the state, and via a survey that can be found at <a href="http://fwp.mt.gov/wildthings/management/bison/">http://fwp.mt.gov/wildthings/management/bison/</a>. He expects to begin scoping the program in Jan2011 that will be part of a Montana Environmental Policy Act process (creation of programmatic EIS). He expects background documents to be available by fall 2010. Arnie stated a belief in an open and transparent public process and the need to build trust between all parties via honesty and time.

Arnie noted that there are several answers to the question, why now? Many reasons including the situation in Yellowstone, tribal interests, the quarantine program, private efforts to restore wild bison and so on.

As part of his discovery process, Arnie is looking at other wild bison programs. He presented a slide show on efforts to restore a wild bison population in the Henry's Mountains of Utah. Arnie showed a number of photos from his visit to the Henry's Mountains which can be found at <a href="https://www.ibmp.info">www.ibmp.info</a>. Key points in this discussion included:

- Bison are hunted here with generally 50-150 permits allowed per year on a once-in-a-lifetime basis. Goal is to end each hunting season with ~325 animals.
- These bison were introduced from YNP
- There are also wild bison at Antelope Island State Park near Salt Lake City
- Bison are moving from Henry's Mountains to the Book Cliffs
- Objective is to have a population of ~450 animals
- ~200 animals per year are captured and tested for disease
- The state of Utah and the Ute Tribe (who also have wild bison) work collaboratively to manage the herds

#### PARTNER BRIEFINGS

Following are notes from short reports provided by the Partners on a number of topics.

#### Mary Erickson—Confirm GNF Takeover as Lead Partner for 2011/12

So confirmed. Mary asked if there was any guidance on the role of the lead group. The facilitator will look for that description in past notes and forward to ME (action item #8).

# Al Nash—RSS Feed for Automatic updates on changes to IBMP.info

Al noted that webmaster Conrad Flynn at MDOL said that he would institute an RSS feed to allow interested parties to subscribe to an RSS feed at the website. The feed would allow for auto-update sent to the subscriber regarding changes in the website, including the posting of meeting announcements. This action came in response to public requests (action item #9).

Separately, Marna Daley asked that the Partners and public recognize one week as the target time to have all materials posted to the website following each IBMP meeting.

# Ryan Clark—Verify that all Available Quarantine Reports are Posted to IBMP.info

Ryan verified that quarterly reports are posted on the website. He further stated that bull bison reports will begin to be posted on a weekly basis.

#### Pat Flowers—Signing of RTR Operations Checklist

This checklist was presented on the first day of the meeting, then signed on the second day. It can be found at <a href="www.ibmp.info">www.ibmp.info</a>. One point was made that the target date for return to Yellowstone should say May 1, not April 15. MWFP took as an action item (#10) to make this change with RTR, though the Partners still stated willingness to sign the document as presented assuming the change would be made.

## Christian Mackay—Status of MT Stockgrowers Lawsuit

The Stockgrowers lawsuit against MDOL regarding May 15<sup>th</sup> turn back date from Horse Butte is currently pending. Thus there was no new information to report.

# Mary Erickson, Suzanne Lewis—Status of Lawsuit from Environmental Organizations & Others to Stop Federal Agencies From Killing Bison

No new report.

## Brian McCluskey—Update on Potential Creation of Yellowstone Brucellosis Zone

Brian noted that a concept paper on changing brucellosis regulations had been published by APHIS and that the comment period is over. The paper includes interim rules for some changes in brucellosis management. Of particular interest to this group is the proposal to allow for the establishment of designated survival zones where brucellosis might be allowed to exist (e.g., WY, MT, ID). This allowance would require state application to go into effect. The interim rule is still in progress and needs designation by OMB; Brian cannot predict when that will happen.

## PJ White—Status of Draft EIS for Remote Brucellosis Vaccination

PJ reported that the fact assessment and administrative record were submitted last week to DC offices of NPS. His best guess is that it will be ~1 month after the DC review/OK before the draft EIS is published in the Federal Register (likely in June 2010). If all follows schedule, PJ that final publication of the EIS will occur in August 2011.

## Partners—update on status Citizen's Working Group (CWG)

The Partners' reaffirmed their desire to see some type of an open citizens' process to be started. PF suggested that a perfect time to implement the CWG might be at the same time the Park releases its draft EIS on remote vaccination (the link being that this EIS creates the opportunity for more bison outside YNP as noted under the ROD; see item directly above).

The Partners restated desires to have the state convene the CWG given the time constraints and difficulties inherent in a federal FACA working group (see notes from Apr09 and Aug09 meetings at www.ibmp.info). However, two other ideas were put forward regarding convening of the CWG:

- Could the tribes act as the convener? The tribal entities asked if there could be any greater definition of the role of the convener and mission of the proposed CWG. The facilitator will send an email to PF and CM a description of the goals of the CWG from past meeting notes; PF and CM to forward those notes with any additional thoughts to the tribal entities (action item #11).
- Could the County Commissioners act as the convener? This request was added to the letter noted under action item #7.

The Partners decided that this item should be talked about before the next meeting in Aug2010. Thus it was added as a discussion item to be included during the June 4<sup>th</sup> field trip (action item #3).

#### Pat Flowers—Meeting with Tom Lemke on the North Side with Tom Lemke

This action did not take place before Tom's retirement so it will be dropped.

#### **NEXT MEETINGS**

Stephanie Gillen requested, and the Partners agreed, to switch the planned locations of the next two IBMP meetings. Thus the next two meetings will occur as follows:

- Aug 11/12, 2010; in Polson; host SK
- Nov 30/Dec1, 2010; in Helena; host MDOL

All meetings will take place between noon of the first day until noon of the second day. Given the greater distance to Polson and the new meeting location, the facilitator will work with Tom M of CSKT to determine if there are any unique logistical needs (action item #12). One thought promoted by Stephanie was that the Partners consider time before meeting on the 11<sup>th</sup>, or after meeting end on the 12<sup>th</sup> for a field trip or outing, including possibly to the National Bison Refuge.

# **Selected comments from public**

The notes on comments are not intended to be complete, but rather reflect the facilitator's best effort to capture key statements.

# APRIL 14TH

- Statement that moving quarantined bison to the Turner Ranch is a way to make private profit from
- Statement that we should consider opening YNP for grazing or that we could remove all animals from YNP and claim the Park for irrigation
- Statement that we need to refocus on the real issue = grass
- Statement that the counties have a right and duty to protect public safety
- Disagreement stated over fencing on the north side
- Concern stated that decisions are made in the IBMP meetings and that decisions will have already been made by the time the counties meet one-on-one with IBMP partners
- Statement that counties may provide a legal argument about why they should sit at the table
- Statement that a slide show that will not be shown due to technical difficulties had appropriate photos of bison hazing and capture, but also was a tremendous celebration of bison, including migrations and calving
- Statement that BFC members are greatly enjoying the company of all the surviving bison that made it through; it is wonderful to see how the act when they are left alone by the IBMP
- Statement that it is not fair that two individual ranch owners can determine what is happening to America's last bison; also this interference impacts Native American hunts
- Statement that the buffalo perspective is rarely represented
- Invitation for all to come to W Yellowstone and witness the bison
- Recommendation that the on-going lawsuit should not stop MFWP from starting the next RFP for moving quarantined bison
- Recommendation for RSS feed or similar to get the word out to the public regarding upcoming IBMP meetings
- Statement that bison are a land animal and that the only people sitting at the table should be land regulating groups (i.e., APHIS and MDOL should be acting in support but not be at the table)
- Statement that buffalo require lots of land with their numbers controlled by hunters and also balanced by available forage
- Request to think of the waste caused by killing all the bison over the years and all the testing (wasted bison, wasted dollars)

# APRIL 15<sup>TH</sup>

Thanks to the facilitator

- Statements regarding respect: that disrespect from the public comes from the public being disrespected in having to go through 3 min comment period; that the process is designed not to including the public; we all have need for respect; the bison have a right to respect
- Statement that Suzanne Lewis once responded to the question of what is the Partners accountability by saying, "You the public are our accountability." Thus we are doing our job.
- Statement that the concept of transparency failed at the Feb meeting given almost no notice (yes, thanks for adding the RSS feed). Also a statement that the reported number of bison transferred to the Turner Ranch differed by one from what was actually transferred.
- Request to see updates on the status of the guarantined bison at Turner Ranch.
- Request that the public be invited to the field trip in June, especially BFC.
- Statement that the goals of the IBMP are not being met—that the wild, free roaming bison is not happening especially if you consider wild to mean self-willed.
- Statement that the status of bison in MT is that they are ecologically extinct.
- Request that the Partners spend more time on conservation biology and less time on livestock modeling.
- Request for more focus on migration corridors.
- Statement that GYC sees adding the Counties to the table as being problematic as it would be
  making the group less inclusive as more special interests are added.
- Agreement that it is important that any CWG have actually task to be completed.
- Statement of encouragement by what was seen today with appreciation to the work of Keith Aune and Arnie Dood.
- Statement that GWA would like a seat at the table and/or advocates for CWG
- Statement that GWA will bring a bill in the next legislature putting bison under FWP control but still having strong relation to MDOL for disease control
- Statement that MDOL represents cattle industry; that under the IBMP cattle and grass are doing just fine but buffalo advocates in the audience are there out of their concern that bison are not being treated with respect
- Statement that failure to respect bison is why I volunteer and will continue to do so as long as the hazing goes on
- Statement that all the IBMP work is done to subsidize 3 private owners; instead we should let them tend to their own lands and stop the welfare ranching
- Thanks to the speakers but concern that the public needed more opportunity to ask questions
- Restatement of GWA pledge to work with livestock interests especially on bill to be reintroduced during next legislature and for potential allowance of bison into the Taylor Fork and Buffalo horn areas
- Thanks for the maps
- Concern that group never talks about the upper Gallatin which has few cattle and is perfect for bison
- Request that USFS add bison as a sensitive species in region 1
- Request for speaker on elk movement, that this talk would help group focus on habitat issues